

03-08-01

Box: sec

A

UTILITY PATENT APPLICATION
TRANSMITTAL

Attorney Docket No.

C70237D1

First Named Inventor or Application Identifier

Mary Rose WOODHEAD

EXPRESS MAIL CERTIFICATE

EXPRESS MAIL MAILING LABEL NUMBER EL421193355US DATE OF DEPOSIT: March 07, 2001

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service

Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to The Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

NAME OF PERSON MAILING PAPER OR FEE

(TYPE OR PRINT)

SIGNATURE

1100 U.S. PRO
09/600528
03/07/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 19-2570
- ☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))
- (Submit an original, and a duplicate for fee processing)

2. ☒ The total fee is calculated as shown below:
- | | |
|--|-----------------|
| Basic Filing fee | \$710.00 |
| Total Claims 2 - 20 = 0 x \$18 | \$ 0.00 |
| Independent Claims 1 - 3 = 0 x \$80 | \$ 0.00 |
| <input type="checkbox"/> Multiple Dependent Claim present. \$270 | |
| TOTAL FILING FEE | \$710.00 |
- ☐ Cancel in this application original claims _ to _ of the prior application before calculating the filing fee.
- ☒ Charge **\$710.00** to the above indicated Deposit Account.

3. ☒ Specification excluding Drawings [Total Pages] **52**

4. ☒ Drawing(s) (35 USC 113) [Total Sheets] **11**

5. ☒ Declaration and Power of Attorney [Total Pages] **3**
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17a completed)
- c. ☐ Unsigned Declaration
- [Note Box 6 below]
- i. ☐ DELETION OF INVENTOR(S)
- Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☒ Incorporation By Reference (useable if Box 5b is checked)
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☒ The Title of the Invention:
BLACKCURRANT PROMOTERS AND GENES
8. ☒ Nucleotide and/or Amino Acid Sequence Submission
- a. ☒ Computer Readable Copy
- b. ☒ Paper Copy (identical to computer copy)
- c. ☒ Statement verifying identity of above copies
- d. ☐ Use the identical computer-readable form filed in Application No. _____, filed _____ as the computer-readable form for the instant application. (37 CFR 1.821(e))

ACCOMPANYING APPLICATION PARTS

9. a. ☐ Information Disclosure Statement (IDS)
- b. ☐ PTO-1449
- c. ☒ Copies of all IDS Citations
10. ☐ Assignment Papers (cover sheet & document(s))
11. ☒ Prior Application is Assigned to:
SmithKline Beecham p.l.c.
(for continuation/divisional with Box 17a completed)
12. ☒ Preliminary Amendment [Total Pages]
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☒ Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. 09/068,140 filed November 02, 1998. A PTO-1449 listing the references is enclosed.
16. ☐ Other: _____

17. ☒ Priority Information, check appropriate box and supply the requisite information
- a. The accompanying application is a ☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)
of prior application No: 09/068,140 filed November 02, 1998.
- b. ☐ Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications:
Application No. _____ filed _____
- c. ☒ Please amend the specification by inserting before the first line the sentence: (37 CFR 1.78)
This is a divisional of application Serial No. 09/068,140 filed November 02, 1998.

18. CORRESPONDENCE ADDRESS

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19. RESPECTFULLY SUBMITTED,

Signature William R. Majarian
Name William R. Majarian

Registration No. 41,173

"EXPRESS MAIL CERTIFICATE"
"EXPRESS MAIL" MAILING LABEL NUMBER EL421193355US
DATE OF DEPOSIT March 7, 2001

Attorney Docket No.: C70237D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Woodhead, et al. March 7, 2001
Serial No.: To be assigned Group Art Unit No.: Unknown
Filed: Herewith Examiner: Unknown
For: BLACKCURRANT PROMOTERS AND GENES

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825**

BOX SEQUENCE

Assistant Commissioner for Patents
Washington, D.C. 20231

- (X) I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with **37 CFR §1.821(c)** and **(e)**, respectively, are the same.
- () I hereby state that the submission filed in accordance with **37 CFR §1.821 (g)** does not include new matter.
- () I hereby state that the submission filed in accordance with **37 CFR §1.821 (h)** does not include new matter or go beyond the disclosure in the international application as filed.
- () I hereby state that the amendments, made in accordance with **37 CFR §1.825 (a)**, included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages _____. I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing.

Serial No.: To be assigned

Group Art Unit No.: Not yet assigned

() I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, is identical to that originally filed.

Respectfully submitted,

William R. Majors

William R. Majarian
Attorney for Applicants
Registration No. 41,173

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Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The *Agrobacterium* strains were cultured in YEA medium for 24 h at 28°C. The cell concentration of the strains was adjusted to 1.0 × 10⁸ cells/ml. The cell suspension was mixed with the plant tissue and the transformation efficiency was determined. The results are shown as the mean ± SD of three independent experiments. The data were analyzed by one-way ANOVA. The different letters indicate significant differences (*P* < 0.05).